

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

**RUDOLFO VILLAREAL,
Reg #24422-045**

PLAINTIFF

V. CASE NO. 2:18-cv-62-KGB-BD

GENE BEASLEY, et al.

DEFENDANTS

PARTIAL RECOMMENDED DISPOSITION

I. Procedure for Filing Objections:

This Partial Recommended Disposition (“Recommendation”) has been sent to Judge Kristine G. Baker. Mr. Villareal is free to file written objections to this Recommendation. Objections should be specific and should include the factual or legal basis for the objection.

To be considered, objections must be received in the office of the Court Clerk within 14 days of this Recommendation. If no objections are filed, Judge Baker can adopt this Recommendation without independently reviewing the record. By not objecting, Mr. Villareal may also waive any right to appeal questions of fact.

II. Discussion:

Plaintiff Rudolfo Villareal, an inmate at the Forest City Federal Prison Camp, filed this lawsuit without the help of a lawyer pursuant to *Bivens v. Six Unknown Agents of the Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). (Docket entry #2) In his complaint and amended complaint, Mr. Villareal claims that Defendants have provided constitutionally inadequate medical care for a leg injury. (#2, #5)

Mr. Villareal indicated in his complaint that he is suing the Bureau of Prisons (“BOP”) for five million dollars. (#2) A “prisoner may not bring a *Bivens* claim against an officer’s employer, the United States, or the BOP.” *Corr. Servs. Corp. v. Malesko*, 534 U.S. 61, 72 (2001). Accordingly, to the extent that Mr. Villareal is suing the BOP under *Bivens*, that claim should be summarily dismissed, with prejudice.

III. Conclusion:

The Court recommends dismissing the BOP as a party Defendant in this case, this 7th day of June, 2918.


UNITED STATES MAGISTRATE JUDGE